

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 1-26-23

UNITED STATES OF AMERICA

Consent Order of Restitution

v.

JAYSEAN SUTTON

No. 19 Cr. 706 (ALC)

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Alexander Li and Christopher Clore, Assistant United States Attorneys, of counsel; the presentence report; the Defendant's conviction on Counts Two and Three of the above Indictment; and all other proceedings in this case, it is hereby ORDERED that:

1. Amount of Restitution

Jaysean Sutton, the Defendant, shall pay restitution in the total amount of \$3,372,154.92, pursuant to 18 U.S.C. § 3663A, to the victims of the offenses charged in Counts One and Two. The names, addresses, and specific amounts owed to each victim are set forth in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

A. Joint and Several Liability

Restitution is joint and several with co-defendant Pedro Davila, to the extent that a restitution order is entered against Pedro Davila.

B. Apportionment Among Victims

Pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid. Restitution shall be paid to the victims identified in the Schedule of Victims,

attached hereto as Schedule A, on a pro rata basis, whereby each payment shall be distributed proportionally to each victim based upon the amount of loss for each victim, as set forth more fully in Schedule A.

2. Schedule of Payments

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the Defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the Defendant; and any financial obligations of the Defendant; including obligations to dependents, the Defendant shall pay restitution in the manner and according to the schedule that follows:

In the interest of justice, restitution shall be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2). While serving the term of imprisonment, the Defendant shall make installment payments toward his restitution obligation, and may do so through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Pursuant to BOP policy, the BOP may establish a payment plan by evaluating the Defendant's six-month deposit history and subtracting an amount determined by the BOP to be used to maintain contact with family and friends. The remaining balance may be used to determine a repayment schedule. BOP staff shall help the Defendant develop a financial plan and shall monitor the inmate's progress in meeting his restitution obligation. Any unpaid amount remaining upon release from prison will be paid in installments in an amount equal to 10% percent of the Defendant's gross income on the 1st of each month.

If the Defendant defaults on the payment schedule set forth above, the Government may pursue other remedies to enforce the judgment.

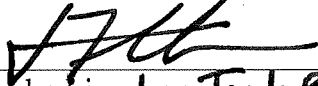
balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

6. Sealing

Consistent with 18 U.S.C. §§3771(a)(8) & 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of victims, the Schedule of Victims, attached hereto as Schedule A, shall be filed under seal, except that copies may be retained and used or disclosed by the Government, the Clerk's Office, and the Probation Department, as need be to effect and enforce this Order, without further order of this Court.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York


By: 
Alexander Li *by Jacob R Fiddelman*
Christopher Clore
One Saint Andrew's Plaza
New York, NY 10007
Tel.: (212) 637-2265/-1063

11/3/22
DATE

JAYSEAN SUTTON


By: 
Jaysean Sutton

11/3/22
DATE

By: 
Angus James Bell, Esq.
Carlos M. Santiago, Jr., Esq.
Counsel to Jaysean Sutton

11/3/22
DATE

SO ORDERED:


HONORABLE ANDREW L. CARTER
UNITED STATES DISTRICT JUDGE

11/3/2021
DATE